

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

SKAT TAX REFUND SCHEME LITIGATION

This document relates to: All Cases

Master Docket 18-cv-4047(LAK)
ECF Case

**NOTICE OF CONSOLIDATED DEFENDANTS' JOINT MOTION TO DISMISS
THE COMPLAINTS PURSUANT TO FED. R. CIV. P. 12(b)(1), 12(b)(6) AND 9(b)**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law and Declaration of Mark D. Allison dated August 15, 2018, all the Defendants named in the action consolidated pursuant to the Court's Pretrial Order No.1 dated June 26, 2018 (ECF No. 16), in lieu of filing Answers to Plaintiff's Complaints, will move the Court before the Honorable Lewis A. Kaplan at the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, New York, New York, 10007, at a date and time to be determined by the Court, for an Order dismissing the Complaints in all of the consolidated actions with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 9(b), and for such other, further, or different relief as the Court deems just and proper. The Defendants respectfully request that oral argument be held regarding this Motion.

Dated: New York, New York
August 15, 2018

Respectfully submitted,

s/ Mark D. Allison

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The Stark Pension Plan, Roger Lehman, and Gavin Crescenzo
The Stor Capital Consulting LLC 401K Plan and Michael Ben-Jacob
The SVP 401K Plan, Roger Lehman, and Svetlin Petkov
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CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2018, true and correct copies of the Notice of Consolidated Defendants' Joint Motion to Dismiss the Complaints, the Memorandum of Law in Support of Their Joint Motion Dismiss to Dismiss the Complaints, and Declaration of Mark D.

Allison and its Exhibits were served by CM/ECF or as indicated below on the following:

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